



PATENT
Attorney Docket: 046969-5313

70 AF
A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Hideki KOBAYASHI) Confirmation No.: 6306
)
Application No.: 10/701,080) Group Art Unit: 2627
)
Filed: November 5, 2003) Examiner: Gautam Patel
)
For: INFORMATION RECORDING/REPRODUCING)
APPARATUS AND INFORMATION)
REPRODUCING METHOD (As Amended))

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop AF
Alexandria, VA 22314

Sir:

**NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from
the decision of the Examiner dated July 17, 2007, finally rejecting claims 1, 4, 7-8 and
11. Applicants also submit herewith a Request for Pre-Appeal Brief Conference.

1. Extension of Time

The proceedings herein are for a patent application and the provisions of 37
C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this
conditional petition is being made to provide for the possibility that
Applicant has inadvertently overlooked the need for a petition and fee for
extension of time.

01/18/2008 MBELETE1 00000066 10701080

01 FC:1401
02 FC:1253

510.00 OP
1050.00 OP

- ☒ Applicant requests an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 460.00	\$ 230.00
<input checked="" type="checkbox"/> three months	\$ 1,050.00	\$ 525.00
<input type="checkbox"/> four months	\$ 1,640.00	\$ 820.00

Extension of time fee due with this request: \$1,050.00

If an additional extension of time is required, please consider this a Petition therefor.

2. Notice of Appeal Fee – 37 C.F.R. § 41.20(b)(1)

☒ The fee in the amount of \$510.00 to cover the Notice of Appeal fee is enclosed.

☐ The Commissioner is authorized to charge the Notice of Appeal fee of \$255.00 to Deposit Account No. 50-0573.

3. Fee Payment

☒ Enclosed is a check in the amount of \$510.00 for the notice of appeal fee.

☐ The Commissioner is authorized to charge Deposit Account No. 50-0573 in the amount of _____ for the Notice of Appeal fee.

4. Constructive Petition

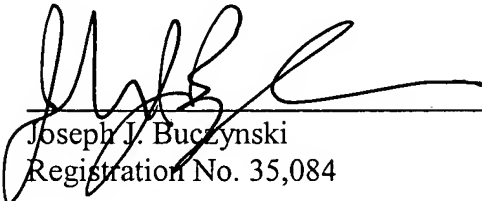
- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Dated: January 17, 2008

By: _____


Joseph J. Buczynski
Registration No. 35,084

Customer No. 055694
DRINKER, BIDDLE & REATH LLP
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209
Tel: (202) 842-8800
Fax: (202) 842-8465